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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,458	06/22/2000	Alan B. Hamor	3835-4002	8724

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MORGAN & FINNEGAN, L.L.P.  
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NEW YORK, NY 10281-2101

EXAMINER
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MYHRE, JAMES W

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## **DETAILED ACTION**

### **Supplemental Notice of Allowance**

1. The Examiner telephonically notified the Applicant Representative on May 25, 2005 that several of the claims had minor informalities that needed to be corrected for clarity and that the Examiner could issue a Supplemental Notice of Allowance including an Examiner's Amendment to correct these deficiencies.

### **Examiner's Amendment**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Chris Copeman on May 25, 2005.

The application has been amended as follows:

- a. In Claim 1 in step a) change the phrase, "an agreed upon amount to be paid" to "an amount paid", in step b) add the phrase, "over an electronic network" after the word "transmitting", and in step c) add the phrase "over the electronic network" after the word "transmitting";
- b. In Claim 6 delete the phrase: ", and/or other similar client activities";
- c. In Claims 10 delete the phrase: ", and other similar client activities";

d. In Claim 12 change the phrase, "wherein the associating of advertising content is dependent upon" to "wherein advertising content is associated with the content page based on at least one of";

e. In Claim 13 change the phrase, "wherein the associating of advertising content is dependent on" to "wherein advertising content is associated with the content page based on at least one of";

f. In Claim 14 change the phrase, "wherein the associating of advertising content is dependent upon" to "wherein advertising content is associated with the content page based on at least one of";

g. In Claim 30 in step a) change the phrase, "an agreed upon amount to be paid" to "an amount paid", and in step b) add the phrase, "over an electronic network" after the word "transmitting";

h. In Claims 32-36 delete the phrase: ", and other similar client activities";

i. In Claims 37 and 39 delete the phrase: ", and (5) other similar client activities";

j. In Claims 38, 44, 46, and 64 change the phrase, "an agreed upon amount to be paid" to "an amount paid";

k. In Claim 65 delete the phrase: ", and (6) other similar client activities";

l. In Claim 85 in step a) change the phrase, "from agreed upon contributions from" to "from contributions paid by", in step b) add the phrase, "over an electronic network" after the word "transmitting", and in step c) add the phrase "over the electronic network" after the word "transmitting";

m. In Claim 87 change the phrase, "further includes means to print content" to "further includes printing content";

n. In Claim 88 change the phrase, "further includes means to save content" to "further includes saving content";

o. In Claim 89 change the phrase, "further includes means to transmit content" to "further includes transmitting content";

p. In Claim 90 change the phrase, "further includes means to initiate a search from the content" to "further includes initiating a search from the content";

q. In Claim 91 change the phrase, "further includes means to print, save, transmit, initiate a search from the content; or other similar client activities" to "further includes printing, saving, transmitting, or initiating a search from the content";

r. In Claim 92 in step a), change the phrase, "an agreed upon revenue to be paid" to "an amount of revenue paid" and in step b) change the phrase, "based on the agreed upon revenue" to "based on the revenue paid", in step c) add the phrase, "over an electronic network" after the word "transmitting", and in step d) add the phrase "over the electronic network" after the word "transmitting";

s. In Claim 93 in step a), change the phrase, "an agreed upon revenue to be paid" to "an amount of revenue paid", in step b) change the phrase, "based on the agreed upon revenue" to "based on the revenue paid", and in step c) add the phrase, "over an electronic network" after the word "transmitting";

t. In Claims 94-97 in step a) change the phrase, "an agreed upon amount to be paid" to "an amount paid"; and

u. In Claim 98 in step a) change the phrase, "an agreed upon amount to be paid" to "an amount paid", in step b) add the phrase, "over an electronic network" after the word "transmitting", and in step c) add the phrase "over the electronic network" after the word "transmitting".

### ***Response to Amendment***

3. The amendment filed on March 3, 2004 under 37 CFR 1.116 is sufficient to overcome the Angles et al (5,933,811), Logan et al (5,721,827), Blumenau (6,327,619), and Gerszberg et al (6,044,403) references.

The amendment filed on March 3, 2004, amended Claims 1, 6-10, 30-39, 44, 46, 64, 65, 85, 86, and 91-98; canceled Claims 16-29, 40-43, 47-63, and 74-84; and added new Claims 99 and 100. Upon entry of this amendment the currently pending claims considered below are Claims 1-15, 30-39, 44-46, 64-73, and 85-100.

### ***Allowable Subject Matter***

4. Claims 1-15, 30-39, 44-46, 64-73, and 85-100 are allowed.

### ***Examiner's Statement of Reasons for Allowance***

5. The following is an examiner's statement of reasons for allowance:

The claimed invention consists of a system, method, and computer program which consolidates set payments from advertisers into a revenue pool, with the payment amounts not related to the number of subsequent advertising impressions. Content

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providers track the number of advertising impressions on their web sites and are reimbursed from the consolidated revenue pool based on their percentage of the total number of advertising impressions for that time period. In other words, while one content provider's web site may have 100,000 advertising impressions for each of two consecutive time periods, the content provider may be reimbursed 10% of the revenue pool for the first time period and 15% of the revenue pool for the second – dependent upon how many advertising impressions were received by the other content providers' web sites. In another example, the content provider may receive 10% of the revenue pool for two consecutive time periods, but the actual dollar amount may vary – dependent upon how much was prepaid into the revenue pool by the advertisers. Thus, the amounts paid into the revenue pool by the advertisers and the amounts paid out of the revenue pool to the content providers are not based on a set amount per advertising impression.

While prior art was found which disclosed a system, method, and computer program in which content providers receive payments for presenting advertisements on their web pages (Angles, Logan, Blumenau, , with the payment being based on the number of advertising impressions being viewed by web site visitors (Angles, Logan, Blumenau, Filippi "DoubleClick Debuts New Tool for Testing Creative on the Web", Toland "C/Net: The Computer Network Unveils Revolutionary Internet Advertising Tools That Allow Custom Banner Ad Delivery Based on Demographic Information") , prior art could not be found in which the advertisers prepaid a set amount of money into a revenue pool (consolidated account) which was then used to pay the content providers

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based on their proportion of total advertising impressions presented during a subsequent time period.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. James W. Myhre whose telephone number is (571) 272-6722. The examiner can normally be reached Monday through Thursday from 5:30 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, can be reached on (571) 272-6724. The fax phone number for Formal or Official faxes to Technology Center 3600 is (703) 872-9306. Draft or Informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 273-6722.

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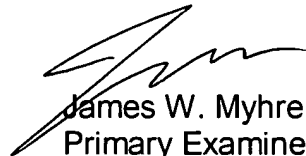
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-3600.



JWM  
May 31, 2005



James W. Myhre  
Primary Examiner  
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